

# UTAH TANK NEWS

Winter  
2014-2015

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Amanda Smith  
Executive Director

Brent H. Everett  
Division Director

Therron Blatter  
Branch Manager



## Environmental Assurance Fee Rebate by Doug Hansen

In the last newsletter, we included an article that summarized changes to the Underground Storage Tank laws resulting from the 2014 Utah legislative session. One of the changes discussed may allow participants in the Petroleum Storage Tank Fund to get a rebate of a portion of the throughput-based environmental assurance fees. Over the past six months, the Department of Environmental Quality has been working with the State Tax Commission to develop the process for determining rebates and refunding the eligible environmental assurance fee. The amount of the rebate depends on the relative risk of the tank systems at each facility. Rules recently adopted by the Utah Solid and Hazardous Waste Control Board describe the formula for calculating the relative risk of a facility.

The rule states that risk is lower for tank systems that have containment:

- at the tank top,
- under the dispensers, and
- at the fill riser.

Other factors including tank age and material of construction also affect risk. Each facility will be assigned a risk tier that takes these factors into account. The rule spells out that in order to receive “credit” for containment, sumps, secondary piping, and secondary tank walls must be tested at least every three years to document they are still able to contain a spill. For the first year (2015), all systems with containment will be assumed to be tight. Testing will be required beginning next year to document the condition of containment systems and receive credit for 2016 and beyond.



~ continued on page 2

Table 1: Environmental Assurance Fee Rebate Table

Risk Tier	Facility Risk Value (rounded to nearest 0.0001)	Rebate: % of surcharge paid
Tier 1	<0.10	40%
Tier 2	0.10-0.2499	25%
Tier 3	0.25-0.3499	10%
Tier 4	>0.35	None

The risk status for each facility will be calculated each December 15<sup>th</sup> and will apply for the following calendar year. Table 1 summarizes the eligible rebate for facilities in each risk tier. Facility risk information will be provided to the Utah Tax Commission and to tank operators. Rebates may be claimed on Form TC-116 by completing TC-116 Schedule R and submitting it to the Tax Commission. Only environmental assurance fees paid after January 1, 2015 will be eligible for rebate.

You can view your current facility risk at [http://eqedocs.utah.gov/P\\_AssSearch.aspx](http://eqedocs.utah.gov/P_AssSearch.aspx). Included on this site is a tool that allows you to evaluate upgrades to determine how equipment upgrades affect the facility risk and potential rebate amounts. In considering upgrades, remember the 0% interest loans available to finance improvement costs. PST Loan information is available at <http://www.deq.utah.gov/FeesGrants/loans/pstloan/index.htm>.

## Calling ALL A/B Operators!!! by DeAnn Rasmussen

*Yes, that means you!* I'm calling your attention to the exciting life of rules and regulations. Why, you ask? Why torture you? Why bore you to tears? Well, it's because I care about each and every one of your facilities and don't want any facility to be without the watchful eye of an A/B operator! Anyone part of the initial group that registered as A and/or B operators in January 2012 is due to renew by January 2015. The renewal portion of the rule says:

*“Class A and B operator (registration) shall be effective for a period of three years..... “*

Looking past the legalese, here's ALL you really need to know:

- Every 3 years, A and B operators need to re-register with the UST program.
- To re-register, all you have to do is fill out the registration form and submit it with a \$50 fee. Follow this link to find the form:  
<http://www.deq.utah.gov/ProgramsServices/programs/tanks/ust/training/docs/2014/08Aug/OperatorTrainingApp.pdf>
- You can register up to six months prior to the expiration of the registration.
- If your certification has been expired for more than 2 years you must meet the initial training and exam requirements.

## **Do I Need a Class C Operator?** by Gary Harris

The answer is YES. All UST facilities must have three classes of operators: A, B and C.

A list of class C operators must be kept on site, indicating, who gave the training and when it was completed.

A form is available for your use to track class C operators.

<http://www.deq.utah.gov/ProgramsServices/programs/tanks/ust/training/docs/2012/11Nov/ClassCRecord.pdf>

The class C operator is an employee and is generally the first line of response to events indicating emergency conditions. Class C operators will:

- be present at the facility at all times during normal operating hours;
- monitor product transfer operations to ensure that spills and overflow do not occur;
- properly respond to alarms, spills, and overflow;
- notify class A and/or class B operators and appropriate emergency responders when necessary;
- act in response to emergencies and other situations caused by spills or releases from an UST system that pose an immediate danger or threat to the public or to the environment, and that require immediate action.

Class C operators do not have to register with the State. They may be trained by a B operator or a private contractor approved to providing that training.

If you have questions please contact Michelle Horning at 801-536-4128.

## **UST Math: $1 + 1 - 1 = 2$**

Jason Wilde (that's Major Wilde to the military folk) is back from Afghanistan. Jason couldn't stand being away from our program for an entire year so he found himself involved in installing tanks while deployed. Talk about loving your job!! Thank you, Jason for your service. We're glad you came back safe and sound.

It took us a while to fill the position left open when Bill Moore retired last year but it was worth the wait. A few months ago we welcomed Kim Viehweg to the compliance section to fill the vacancy left by Bill. For the past 7 years, Kim has been working in the Site Assessment/Emergency Response section of CERCLA branch. Before moving to Utah, she worked in the tank program in California. We look forward to working with Kim.

UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY  
DIVISION OF ENVIRONMENTAL RESPONSE AND  
REMEDICATION  
P.O. BOX 144840  
SALT LAKE CITY, UTAH 84114-4840

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PERMIT #4621

## Certification Corner

GOOD NEWS!! You can now submit initial UST certification and operator applications, documentations, and payments online here: <https://secure.utah.gov/storagetank>

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### **CLASS A & B OWNER/OPERATOR EXAMINATION**

The same examination applies to both class A & B Owner/Operators. The test of 50 multiple choice questions, is open book, and has a time limit of two hours. Students can use reference materials including course material provided by the course instructor. Testing will be conducted the first Tuesday at 9:00 a.m. and the third Tuesday at 2:00 p.m. at the DEQ/DERR office located at 195 North 1950 West, Salt Lake City. All students must register with the DERR at least one week prior to taking the exam. Please contact Michelle Horning at [mhorning@utah.gov](mailto:mhorning@utah.gov) for registration.

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### **CERTIFIED UST CONSULTANT ~ Initial Exam and Renewal Course Schedule**

The renewal course will begin promptly at 9 a.m. and finish at 1:00 p.m. The comprehensive exam will begin at 2:00 p.m. The next two dates for this exam are Thursday, February 12, 2015 and Thursday, June 18, 2015. If you have any questions, please contact Michelle Horning at [mhorning@utah.gov](mailto:mhorning@utah.gov).